

Alcoholic Beverage Control Alcoholic Beverage Control

<http://abc.ky.gov/>
502/564-4850



January 2007

MALT BEVERAGES MARKETED AS ENERGY DRINKS

Several licensees throughout the Commonwealth are now offering malt (alcoholic) beverage drinks that advertise an "energy boost" to patrons. Licensees are responsible for making sure that all employees are aware of the difference in alcoholic energy drinks and non-alcoholic energy drinks. While marked as an alcoholic beverage, the brightly colored containers can be misleading. These products contain alcohol (some as much as 6.6%) and are alcoholic beverages by definition. The requirement of a purchaser to be twenty-one (21) years of age shall be strictly enforced. Clerks and licensees will continue to be cited and face criminal and/or administrative charges for violation of **KRS 244.080, Retail Sales to Certain Persons Prohibited**, if they sell these or any other alcoholic beverages to persons who are not 21 years old. It is the responsibility of the licensee and all employees to ensure that alcoholic beverages are not sold to persons under the age of 21, and that all other laws and regulations regarding sales of alcoholic beverages are followed. As always, please feel free to contact our office with any questions.

WINERIES - SENATE BILL 82 BECAME EFFECTIVE JANUARY 1, 2007

Kentucky Winery Licensees please remember that numerous changes in the laws of existence and operation occurred on January 1, 2007. All those affected should have received a packet from the ABC addressing the changes and including the new regulations. If you have not received that packet of information, please contact our Office at 502/564-4850.

ATTENTION KENTUCKY WINERIES. The Federal Trade and Tobacco Bureau (TTB) would like to remind us you are prohibited from producing brandies and cordials under your Kentucky small farm winery license.

KENTUCKY'S QUOTA LICENSES

Kentucky's statutory scheme permits the ABC Board to limit the number and kinds of licenses issued in the state and the locations for those licensed premises. Based thereon the quota license goes back to 1954 when KRS 241.065 was enacted limiting the number of **retail package liquor** and **retail liquor drink** licenses in **cities of the first class** to **one (1) for every (1,500) residents** in the county. The number of licenses issued for **cities of the second through sixth class** is limited by regulation (804 KAR 9:010) to **one (1) retail package liquor license for every 2,300 residents** and **one (1) liquor drink license for every 2,500 residents**. On or before January 1st each year, the ABC Board receives the population statistics from the Kentucky State Data Center. These population statistics are used to set the number of quota licenses available.

DO YOU REMEMBER?

Do you remember when it was illegal to display alcoholic beverages in the window of your store? From 1938 until 1998, KRS 244.130 prohibited the display of alcoholic beverages in the windows of retail premises. Today KRS 244.130 has been amended to allow retailers to advertise and display their product in numerous ways promoting sales. But it is still illegal under KRS 244.540 to advertise beer within 100 feet of a school or church except signs placed prior to March 7, 1938 or signs in cities of the first or second class.

UPCOMING S.T.A.R. TRAINING DATES

Server Training In Alcohol Regulations - In addition to responsible sales and service training, we cover Kentucky-specific statutes and regulations, individual liabilities and fake IDs. Class time is four and one-half hours. **Classes start promptly at noted time.**

JANUARY 2007

11 (9-1:30) Louisville - Middletown Gov. Ctr.
 15 (9-1:30) Owensboro - Cigar Factory Mall
 15 (9-1:30) Frankfort - ABC Office
 16 (9-1:30) Danville - City Hall
 20 (10-2:30) Lexington - Beaumont Library
 22 (9-1:30) Louisville - Barret Gov. Center
 24 (9-1:30) Corbin - City Hall
 28 (1-5:30) Murray - Curris Center
 29 (9:30-2) Hopkinsville - Public Library
 30 (9-1:30) Florence - Florence Gov. Center
 31 (5:30-10) Lexington - TBA

FEBRUARY 2007

5 (5-9:30) Frankfort - ABC Office
 5 (9-1:30) Louisville - Barret Gov. Center
 6 (9-1:30) Lexington - Waller Ave. Health Dept
 12 (5-9:30) Owensboro - Cigar Factory Mall

FEBRUARY 2007 cont'd

12 (9-1:30) LaGrange - Fiscal Court Bldg.
 13 (9-1:30) Morehead - Gateway Career Ctr.
 14 (9-1:30) Maysville - Regional Prevention Ctr.
 14 (9-1:30) Bowling Green - Houchen's Trng. Ctr.
 17 (9-1:30) Lexington - 1st National Bank—Hamburg
 19 (9-1:30) Hazard - Ky. River ADD - Perry Park
 19 (9-1:30) Louisville - Barret Gov. Center
 27 (9-1:30) Florence - Florence Gov. Center
 28 (5:30-10) Lexington - TBA

ATTENTION RICHMOND & RADCLIFFE LICENSEES

As these two cities have mandated server training, the ABC has scheduled numerous classes in those areas throughout the coming months. All licensee have been mailed a class listing as well as a registration form. If any questions please call the Education Branch at 502/564-4850.

**COMMONWEALTH OF KENTUCKY
 OFFICE OF ALCOHOLIC BEVERAGE CONTROL
 1003 Twilight Trail
 Frankfort, Kentucky 40601-8400**

NAME	DATE OF BIRTH
ADDRESS	
CITY	ZIP
PERSONAL PHONE #	BUSINESS PHONE #
EMPLOYER	
CLASS DATE & LOCATION:	ABC LICENSE #:
<p>If you are attending a S.T.A.R. per your employer, please obtain the ABC license number of the business and include it on your registration.</p>	

_____ Total number of employees @ \$35 per person = \$ _____

INCLUDE THIS FORM ALONG WITH:

Cashier's Check, Money Order or Certified Check made payable to the "Kentucky State Treasurer"

Include ABC License number on the check or money order

RETURN TO THE ABOVE ADDRESS